

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS AND APPARATUS FOR SCHEDULING, SERVING, RECEIVING MEDIA-ON-DEMAND FOR CLIENTS, SERVERS ARRANGED ACCORDING TO CONSTRAINTS ON RESOURCES** the specification of which X is attached hereto or was filed on as Application No. and was amended on (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/254,514	December 8, 2000

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Philip H. Albert, Reg. No. 35,819
 Gregory E. Stanton, Reg. No. 45,127
 Daniel D. Tagliaferri, Reg. No. 43,178
 William E. Winters, Ref. No. 42,232

60/254,514

Send Correspondence to: Gregory E. Stanton TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Gregory E. Stanton Reg. No.: 45,127 Telephone: 415-576-0200
---	---

Full Name of Inventor 1:	Last Name: HORN	First Name: GAVIN	Middle Name or Initial:	
Residence & Citizenship:	City: Emeryville	State/Foreign Country: California	Country of Citizenship: Canada	
Post Office Address:	Post Office Address: 6363 Christie Avenue #2402	City: Emeryville	State/Country: California	Postal Code: 94608
Full Name of Inventor 2:	Last Name: LUBY	First Name: MICHAEL	Middle Name or Initial: G.	
Residence & Citizenship:	City: Berkeley	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 1133 Miller Avenue	City: Berkeley	State/Country: California	Postal Code: 94708
Full Name of Inventor 3:	Last Name: RASMUSSEN	First Name: JENS	Middle Name or Initial:	
Residence & Citizenship:	City: Alameda	State/Foreign Country: California	Country of Citizenship: Denmark	
Post Office Address:	Post Office Address: 909 Shorepoint Court D103	City: Alameda	State/Country: California	Postal Code: 94501
Full Name of Inventor 4:	Last Name: KNUDSGAARD	First Name: PER	Middle Name or Initial:	
Residence & Citizenship:	City: Oakland	State/Foreign Country: California	Country of Citizenship: Denmark	
Post Office Address:	Post Office Address: 3877 Howe Street #309	City: Oakland	State/Country: California	Postal Code: 94611
Full Name of Inventor 5:	Last Name: LASSEN	First Name: SOREN	Middle Name or Initial:	
Residence & Citizenship:	City: San Francisco	State/Foreign Country: California	Country of Citizenship: Denmark	
Post Office Address:	Post Office Address: 516 Vidal Drive	City: San Francisco	State/Country: California	Postal Code: 94132

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
<u>Gavin Horn</u>	<u>Michael G. Luby</u>	<u>Jens Rasmussen</u>
Date	Date	Date

Signature of Inventor 4	Signature of Inventor 5
Per Knudsgaard	Soren Lassen
Date	Date

SF 1179168 v1

FILED FOR E-FILE